

Martha G. Bronitsky
Chapter 13 Standing Trustee
United States Bankruptcy Court

6140 Stoneridge Mall Rd, #250, Pleasanton, CA 94588

Mail to: P.O. Box 9077, Pleasanton, CA 94566

Debtor Chapter 13 Plan Payments to: P.O. Box 341, Memphis, TN 38101-0341

Telephone: (925) 621-1900

Fax: (925) 621-1901

July 07, 2014

Nathan D Borris Atty
21550 Foothill Blvd
Hayward, CA 94541

Chapter 13 Case No.: 14-42637-WJL13

Re: Marcus Patrick Hehir

Michelle Silva-Hehir

In our initial review of your client's case, the trustee requests clarification of the listed items on the attached forms.

Although a complete review of this case has not taken place and there may be other inconsistencies that may need to be addressed at the 341 meeting, it is necessary to advise you of the situation.

The requested items **must** be received five (5) days prior to the 341 meeting of creditors. Failure to provide the requested information may result in the recommendation by the trustee that this case be dismissed or converted to a Chapter 7.

If you have any question concerning this matter, please do not hesitate to contact the Legal Department.

Sincerely,

/s/ Martha G. Bronitsky
Martha G. Bronitsky
Chapter 13 Standing Trustee

DEBTOR'S PLAN – CASES FILED ON OR AFTER 8/1/13

AMENDED PLAN AND/OR BELOW DOCUMENTS TO BE FILED WITH BANKRUPTCY COURT FOR THE FOLLOWING REASONS:

- ☐ Standard Oakland Division Chapter 13 plan to be filed with court. (Version 8/1/13 – see attached)
- ☐ Please serve the plan on all creditors with 28 days notice and opportunity to object on all creditors or 21 days' notice and opportunity to object, if plan was previously served and amendment is being filed that effects the creditors.
[Attached is a standard notice and certificate of service. Please include your creditors in the certificate of service and mail a copy of the notice, certificate of service and the plan to each creditor and file the notice and certificate of service with the bankruptcy court]
- ☐ Plan payments and/or months not provided on the chapter 13 plan section 1.01a
- ☐ Section 1.01a missing source of plan payment
- ☐ Section 1.01b missing source of step up/lump sum payment
- ☐ Section 2.03 missing:
- ☐ Section 2.10 missing priority creditors from schedule E
- ☐ No selection on section 2.12
____ Percent plan or Pot Plan must be selected
____ Estimated percentage must be reflected under "Pot Plan"
- ☐ No time frame for sale/refinance of property and/or time frame to long in section 1.01(b).
- ☐ Per Trustee's plan calculations;
____ Plan exceeds sixty (60)/thirty six (36) months, Needs \$
____ Monthly payments on attorney fees too high
- ☐ Information on the plan
____ The following does not match:
____ The following creditor is listed in multiple sections #, must select one.
- ☐ Claim # filed by - not provided for and/or classification of claim is different than scheduled and/or filed for higher than scheduled.
- ☐ Declaration of outside party to support plan:
- ☐ Section 2.05 – "reduction in value" requires Motion to value Collateral to be filed and ordered prior to confirmation of plan - Please serve with 21 days notice and opportunity to object.
Needed for the following creditors:

FIXED PAYMENTS

- ☐ Pre/Post confirmation fixed payments exceed actual payments proposed. (These are payments that Trustee is to disburse to creditor(s) on a monthly basis, so they must be less than the proposed plan payment)

MISC DOCUMENTS

- ☐ Copy of most recent filed IRS tax return to trustee's office 7 days before 341.
Send 1st two pages of 1040 & schedule C (if applies) with all SSN's redacted including dependents' names and SSN's (if applies). PLEASE DO NOT FILE WITH COURT
 - Via mail - Po Box 9077 Pleasanton CA 94566
 - Drop off - 6140 Stoneridge Mall Rd. suite 250, Pleasanton CA 94588
 - FTP site
 - Encrypted file via email 13TRUSTEE@OAK13.COM only if properly encrypted, with the proper access information provided to the Trustee's office. Taxes and payment advices must be attached as separate PDF attachments. If the email is not encrypted they will not be received.
- ☐ Payment advices (paystubs) 60 days prior to filing/payment advice coversheet stating no advices received to be provided to trustee's office 7 days before 341.
- ☐ Certificate of credit counseling &/or declaration of exigent circumstances re: credit counseling to be filed.

MEANS TEST

- ☒ Must move rental income from Line 3 to Line 4 and move (\$50) rental expense to Lines 57 or 60.

SCHEDULES

AMENDED SCHEDULES TO BE FILED WITH BANKRUPTCY COURT FOR THE FOLLOWING REASONS:

- ☐ SCHEDULE (A) REAL PROPERTY
- ☐ SCHEDULE (B) PERSONAL PROPERTY
- ☐ SCHEDULE (C) EXEMPTIONS
 - ☐ Homestead exemption incorrect
 - ☐ Homestead exemption not taken
- ☐ SCHEDULE (D) SECURED CREDITORS
- ☐ SCHEDULE (E) UNSECURED PRIORITY
 - ☐ Must reflect domestic support obligation information. (i.e. name and address(s) of person receiving the support and the name/address of the county where the order was issued. Only if its court ordered
- ☐ SCHEDULE (F) GENERAL UNSECURED
- ☐ SCHEDULE (G) EXECUTORY CONTRACTS
- ☐ SCHEDULE (H) CO-DEBTORS
- ☒ SCHEDULE (I) INCOME
 - Line 8a requires supporting statement that reflects gross receipts, ordinary and necessary business expenses, and total monthly net income.